

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
SOUTHERN DIVISION

No. 7:03-CR-00103-F-1

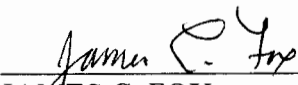
UNITED STATES OF AMERICA,	)	
	)	
v.	)	<u>ORDER</u>
	)	
NICHOLAS SHAMAR GRIFFIN,	)	
Defendant.	)	

This matter is before the court on Defendant's Motion to Reduce Sentence [DE-94]. In his motion, Defendant requests two months of credit for the time he spent in state custody on related charges.

A review of the record reveals that when Defendant was originally sentenced on June 21, 2004, the court departed downwardly two months to account for the time that he served in state custody on related charges. *See* Judgment [DE-27]. The court departed downwardly once again during resentencing, which occurred on September 6, 2006. *See* Amended Judgment [DE-47]. The court also took this two months of credit into consideration when reducing his sentence pursuant to 18 U.S.C. § 3582(c)(2). [DE-61, DE-90.] Because Defendant has already received credit for the time he spent in state custody on related charges, Defendant's Motion to Reduce Sentence [DE-94] is DENIED.

SO ORDERED.

This, the <sup>th</sup>10 day of March, 2014.

  
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JAMES C. FOX  
Senior United States District Judge